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cont.

second support portions are formed with said second slot and a fourth slot generally parallel to said first and third slots, respectively, and said adjusting mechanism includes said screw extending through said second and fourth slots.

REMARKS

By the above amendments, claims 1 and 7 have been amended and new claims 13-20 have been added. In response to a restriction requirement, Applicant elected the embodiment depicted in Figs. 1-3 and recited in claims 1-8 for prosecution on the merits.

In the Office Action, the drawings were objected to as not having reference signs mentioned in the specification. Accordingly, Applicant has amended Fig. 3B to include the reference numeral 60a discussed in the specification on page 9, line 25, with reference to the lower portion 60a. As well, in preparing the above response, Applicant noted a discrepancy in Figs. 1A and 1B and has requested that the discrepancy be corrected. Specifically, Figs. 1A and 1B are now corrected to accurately show the adjusting screw 52 extending from the extending portion 46 and between the sides 31 and 32 (side 31 shown in Fig. 1A and side 32 shown in Fig. 1B).

In the Office Action, claims 1 and 7 were rejected under 35 USC § 112 as being indefinite. With regard to claim 2, the Office Action alleges that the fine adjusting screw 52 engages the recess (62). The Office Action is not correct. As is clearly shown in Figs. 4, 7 and 10 and described on page 16, lines 8 and 9, in one embodiment the adjusting screw 52 engages the adjusting mechanism 40. In an alternate embodiment, as set forth in claim 2 and on page 16, lines 9-11, the adjusting screw 52 could also engage one of the sides 31 or 32. Fig. 1C has been introduced to shown the configuration described on page 16 of the specification. Applicant asserts that no new matter has been added since the configuration shown in Fig. 1C is clearly claimed in claim 2 and is described in the specification.

In the Office Action claims 1, 4 and 6-8 were rejected under 35 USC §

102(b) as being anticipated by Nagano, U.S. 4,611,500. The Nagano reference discloses a brake lever arm having a base and a lever arm where the adjusting mechanism changes the relative position of the pivot point about which the lever arm rotates with respect to the base. In the present invention, as is clearly set forth in amended claim 1, a base member has a pivot point defined thereon at a fixed position. An adjusting mechanism is spaced apart from the pivot point, the adjusting mechanism has a cable contact point which adjusts the relative position between the cable contact point and the pivot point. The Nagano reference teaches a mechanism where the pivot point itself is adjustable. In the present invention, the adjusting mechanism adjusts the contact point relative to a fixed pivot point. The teaching of Nagano is clearly different from the present invention. Amended claim 1 clearly distinguishes the present invention because the Nagano reference does not include the combination of features recited in claim 1. Applicant asserts that claim 1 clearly distinguishes the invention over the Nagano reference and is therefore now in condition for allowance. Since claims 4 and 6-8 depend from claim 1, they too are now allowable.

In the Office Action claims 2 and 3 were rejected under 35 USC § 103 as being obvious over the combination of U.S. 4,611,500 (Nagano) and U.S. 4,916,967 to Nakamura. Nakamura discloses an adjusting mechanism that adjusts the resting position of a lever arm (brake disengage position) with respect to its base. Claims 2 and 3 depend from amended claim 1. Neither Nakamura nor Nagano disclose or suggest the combination of features discussed above with respect to amended claim 1. Applicant asserts that claim 1 clearly distinguishes the present invention over the Nakamura reference and the Nakamura reference when considered in combination with the Nagano reference since neither reference either alone or in combination discloses the features recited in amended claim 1.

In the Office Action, the Examiner indicated that claim 5 recited allowable subject matter. Accordingly Applicant has introduced new claim 13

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Serial No.: 08/598,578

which is a combination of the subject matter originally recited in claims 1, 4 and 5. New claims 14-20 are provided to further recite the features of the invention.

In view of the foregoing amendments and remarks, the Applicant respectfully submits that the application is now in condition for allowance. However, should the Examiner have any questions or uncertainty concerning any of the foregoing changes, he or she is invited to contact the undersigned.

Respectfully submitted,

Date:

June 24, 1982

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Docket No.: F0101SN-US